

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

LOWELL C. POWELL (CABN 235446)
Special Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7368
Facsimile: (415) 436-7234
E-Mail: lowell.powell2@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-0298 RS
)	
Plaintiff,)	
)	
v.)	STIPULATION AND PROPOSED
)	ORDER EXCLUDING TIME UNDER 18
GILBERTO ANDRACA-CARDENAS,)	U.S.C. § 3161
)	
Defendant.)	
)	

On December 13, 2011, the parties in this case appeared before the Court. At that time, the Court set the matter to January 17, 2012. The parties have agreed to exclude the period of time between December 13, 2011 and January 17, 2012, from any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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STIPULATION & ~~PROPOSED~~ ORDER EXCLUDING TIME
CR 11-0298 RS

At the hearing, the Court made findings consistent with this agreement.

SO STIPULATED:

MELINDA HAAG
United States Attorney

DATED: January 13, 2012

/s/

LOWELL C. POWELL
Special Assistant United States Attorney

DATED: January 13, 2012

/s/

STEVEN KALAR
Attorney for Defendant

~~PROPOSED~~ ORDER

For the reasons stated above and at the December 13, 2011 hearing, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from December 13, 2012 through January 17, 2012 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: 1/17/12



THE HONORABLE RICHARD SEEBORG
United States District Judge